

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

JOSEPH E. BARTON,	:	Case No. 2:20-cv-6278
		Consolidated with 2:21-cv-111
Petitioner,		
- vs -		District Judge Edmund A. Sargus, Jr.
		Magistrate Judge Michael R. Merz
GEORGE FREDERICK, Warden,		
Correctional Reception Center,		
Respondent.	:	

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**ORDER ADOPTING SUBSTITUTED REPORT AND  
RECOMMENDATIONS**

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The Court has reviewed the Substituted Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 20) to whom this case was referred pursuant to 28 U.S.C. § 636(b) and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, despite an extension of time, hereby ADOPTS said Substituted Report and Recommendations.

Accordingly, it is hereby ORDERED that Petitioner's consolidated cases be dismissed with prejudice. Petitioner is DENIED a certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed in forma pauperis.

Pursuant to Fed.R.Civ.P. 58, the Clerk shall enter judgment to this effect.

December 17, 2021.

s/Edmund A. Sargus, Jr.

District Judge Edmund A. Sargus, Jr.  
United States District Court